

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

Joseph Gant,

Plaintiff,

v.

Case No. 12-14719

Honorable Sean F. Cox

University of Michigan Hospital, *et al.*,

Defendants.

ORDER OF DISMISSAL

Acting *pro se*, Plaintiff filed this action against Defendants on October 24, 2012.

On January 7, 2013, Defendant University of Michigan Hospital filed a Motion to Dismiss (Docket Entry No. 11), asking this Court to dismiss Plaintiff's Complaint because the claims asserted in it are barred by the doctrines of collateral estoppel and res judicata and because the claims are also barred by the applicable statutes of limitations.

On January 24, 2013, this Court sent written notice to the parties advising that Defendant had filed the above motion and scheduling the motion to be heard by the Court on April 11, 2013. (Docket Entry No. 12).

Pursuant to Rule 7.1(b) of the Local Rules for the United States District Court for the Eastern District of Michigan, a "respondent opposing a motion must file a response, including a brief and supporting documents then available." Rule 7.1(d) further provides that a response to a dispositive motion must be filed within 21 days after service of the motion.

Thus, if Plaintiff opposes Defendant's pending motion, Plaintiff was required to file a brief in opposition to same within 21 days of service of the motion. Although the time permitted under Local Rule 7.1 for filing a response to the pending motion has passed, to date, no brief in

opposition to the motion has been filed by Plaintiff.

On February 22, 2013, this Court issued an order requiring Plaintiff to show cause, “in writing, no later than **March 4, 2013**, why the unopposed pending Motion to Dismiss seeking dismissal of his Complaint in this action should not be granted.” (Docket Entry No. 13) (bolding in original). That order further provided: **“Plaintiff is cautioned that failure to file a timely response to this Order shall result in this case being dismissed for failure to prosecute and for failure to comply with this Court’s orders.”** (*Id.*) (bolding in original).

Nevertheless, Plaintiff has not filed any response to the pending motion or this Court’s Show Cause Order. Accordingly, the Court hereby DISMISSES Plaintiff’s Complaint for failure to prosecute and failure to comply with this Court’s orders.

IT IS SO ORDERED.

Dated: March 15, 2013

S/ Sean F. Cox
Sean F. Cox
U. S. District Court Judge

I hereby certify that on March 15, 2013, the foregoing document was served upon counsel of record by electronic means and upon Joseph Gant by First Class Mail at the address below:

Joseph Gant
P.O. Box 7901
Ann Arbor, MI 48107

Dated: March 15, 2013

S/ J. McCoy
Case Manager